

Rules set forth in 37 CFR § 1.821-1.825. Please find enclosed herewith an Amendment Transmittal Letter, a Statement to Support Filing and Submission of DNA/Amino Acid Sequences in Accordance with 37 CFR §§ 1.821 through 1.825, and a computer readable form (CRF).

The enclosed pages 171-212 contain the Sequence Listing, support for which can be found throughout the specification. Accordingly, no new matter has been added. In addition, the contents of the paper copy of the Sequence Listing and computer readable copy of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e) are the same.

Claim 30 has been amended to delete extraneous language. Claim 38 has been amended to change "wherein" in the definition of variable "F" to "or", thus correcting a typographical error.

The Office Action indicated that claims 11-16, 25-29 and 34-36 would be allowable if rewritten in independent form. Accordingly, Applicants have rewritten claims 11, 14, 16, 25-29, and 34-36, in independent form as new claims 39-49, respectively. Claims 42-46 additionally contain the correction mentioned above in connection with claim 38.

Claims 1, 5, 8-10, 18-20, 22-24, 30-33 and 37-38 stand rejected under 35 U.S.C. § 102(b) for alleged anticipation by

Egholm, M. et al., *J. Chem. Soc. Chem. Commun.* 1993 800-801

("Egholm et al.").

The Office Action asserts that the Egholm reference anticipates the present claims because it allegedly discloses "PNA monomers with lysine attached at termini as a conjugate" and because lysine allegedly falls within the definition of "a crosslinking reagent." However, Applicants again wish to bring to the attention of the Examiner PCT application EP/01219, which was filed May 22, 1992, the benefit of which is claimed under 35 U.S.C. § 119 in the present application. A copy of the EP/01219 application was provided with Applicants' prior amendment, filed January 28, 1998. The EP/01219 application discloses lysine-terminated PNAs at, for example, Example 71 et seq. Thus, the embodiment of the invention allegedly disclosed in the Egholm reference is supported in the priority document, and the Egholm reference is therefore not prior art against the present claims.

In view of the preceding remarks, reconsideration and withdrawal of this rejection under 35 U.S.C. § 102(b) is respectfully requested.


In view of the foregoing, Applicants submit that the claims presently before the Examiner patentably define the invention over the applied art and are otherwise in condition for ready

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1634

allowance. An early Office Action to that effect is, therefore,  
earnestly solicited.

Respectfully submitted,

  
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